

09/890567

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING NATIONAL PHASE OF
PCT APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 OR 1.495

Hon. Commissioner of Patents
Washington, D.C. 20231



00909

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)

Atty Dkt: P 0282776 /204704/JND
M# /Client Ref.

From: Pillsbury Winthrop LLP, IP Group:

Date: August 2, 2001

This is a **REQUEST** for **FILING** a PCT/USA National Phase Application based on:

- | | | |
|------------------------------|------------------------------|-------------------------------------|
| 1. International Application | 2. International Filing Date | 3. Earliest Priority Date Claimed |
| PCT/IB00/00100 | 1 February 2000 | 2 February 1999 |
| ↑ country code | Day MONTH Year | Day MONTH Year |
| | | (use item 2 if no earlier priority) |

4. Measured from the earliest priority date in item 3, this PCT/USA National Phase Application Request is being filed within:

(a) ☐ 20 months from above item 3 date (b) ☒ 30 months from above item 3 date,

(c) Therefore, the due date (unextendable) is August 2, 2001

Title of Invention Detecting Telomerase Activity

6. Inventor(s) Frank Larsen and Marianne Skaanseng

Applicant herewith submits the following under 35 U.S.C. 371 to effect filing:

7. ☒ Please immediately start national examination procedures (35 U.S.C. 371 (f)).

8. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is transmitted herewith (file if in English but, if in foreign language, file only if not transmitted to PTO by the International Bureau) including:

- a. ☒ Request;
b. ☒ Abstract;
c. 58 pgs. Spec. and Claims;
d. 6 sheet(s) Drawing which are ☒ informal ☐ formal of size ☒ A4 ☐ 11"

9. ☒ A copy of the International Application has been transmitted by the International Bureau.

10. A translation of the International Application into English (35 U.S.C. 371(c)(2))

- a. ☐ is transmitted herewith including: (1) ☐ Request; (2) ☐ Abstract;
(3) _____ pgs. Spec. and Claims;
(4) _____ sheet(s) Drawing which are:
☐ informal ☐ formal of size ☐ A4 ☐ 11"
- b. ☐ is not required, as the application was filed in English.
- c. ☐ is not herewith, but will be filed when required by the forthcoming PTO Missing Requirements Notice per Rule 494(c) if box 4(a) is X'd or Rule 495(c) if box 4(b) is X'd.
- d. ☐ Translation verification attached (not required now).

RE: USA National Phase Filing of PCT /IB00/00100

11. ☒ Please see the attached Preliminary Amendment
12. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)), i.e., before 18th month from first priority date above in item 3, are transmitted herewith (file only if in English) including:
13. ☒ PCT Article 19 claim amendments (if any) have been transmitted by the International Bureau
14. ☐ Translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)), i.e., of claim amendments made before 18th month, is attached (required by 20th month from the date in item 3 if box 4(a) above is X'd, or 30th month if box 4(b) is X'd, or else amendments will be considered canceled).
15. **A declaration of the inventor (35 U.S.C. 371(c)(4))**
 a. ☐ is submitted herewith ☐ Original ☐ Facsimile/Copy
 b. ☒ is not herewith, but will be filed when required by the forthcoming PTO Missing Requirements Notice per Rule 494(c) if box 4(a) is X'd or Rule 495(c) if box 4(b) is X'd.
16. **An International Search Report (ISR):**
 a. Was prepared by ☒ European Patent Office ☐ Japanese Patent Office ☐ Other
 b. ☒ has been transmitted by the international Bureau to PTO.
 c. ☒ copy herewith (3 pg(s).) ☒ plus Annex of family members (1 pg(s).).
17. **International Preliminary Examination Report (IPER):**
 a. ☒ has been transmitted (if this letter is filed after 28 months from date in item 3) in English by the International Bureau with Annexes (if any) in original language.
 b. ☐ copy herewith in English.
 c.1 ☐ IPER Annex(es) in original language ("Annexes" are amendments made to claims/spec/drawings during Examination) including attached amended:
 c.2 ☐ Specification/claim pages # _____ claims # _____
 Dwg Sheets # _____
 d. ☐ Translation of Annex(es) to IPER (required by 30th month due date, or else annexed amendments will be considered canceled).
18. **Information Disclosure Statement** including:
 a. ☒ Attached Form PTO-1449 listing documents
 b. ☒ Attached copies of documents listed on Form PTO-1449
 c. ☒ A concise explanation of relevance of ISR references is given in the ISR.
19. ☐ **Assignment** document and Cover Sheet for recording are attached. Please mail the recorded assignment document back to the person whose signature, name and address appear at the end of this letter.
20. ☐ Copy of Power to IA agent.
21. ☐ **Drawings** (complete only if 8d or 10a(4) not completed): _____ sheet(s) per set: ☐ 1 set informal;
☐ Formal of size ☐ A4 ☐ 11"
22. Small Entity Status ☒ is **Not** claimed ☐ is claimed (pre-filing confirmation required)
 22(a) _____ (No.) Small Entity Statement(s) enclosed (since 9/8/00 Small Entity Statement(s) not essential to make claim)
23. **Priority** is hereby claimed under 35 U.S.C. 119/365 based on the priority claim and the certified copy, both filed in the International Application during the international stage based on the filing in (country) Great Britain of:
- | Application No. | | Filing Date | Application No. | | Filing Date |
|-----------------|-----------|-----------------|-----------------|-------|-------------|
| (1) | 9902302.0 | 2 February 1999 | (2) | _____ | _____ |
| (3) | _____ | _____ | (4) | _____ | _____ |
| (5) | _____ | _____ | (6) | _____ | _____ |
- a. ☒ See Form PCT/IB/304 sent to US/DO with copy of priority documents. If copy has not been received, please proceed promptly to obtain same from the IB.
- b. ☐ Copy of Form PCT/IB/304 attached.

JC05 Rec'd PCT/PTO

RE: USA National Phase Filing of PCT/IB00/00100

24. Attached:

25 Per Item 17.c2, **cancel original** pages #_____, claims #_____, Drawing Sheets #**26. Calculation of the U.S. National Fee (35 U.S.C. 371 (c)(1)) and other fees is as follows:**Based on amended claim(s) per above item(s) ☐ 12, ☐ 14, ☐ 17, ☐ 25 (hilitte)

Total Effective Claims	32	minus 20 =	12	x \$18/\$9	=	\$216	966/967
Independent Claims	9	minus 3 =	6	x \$80/\$40	=	\$480.	964/965
If any proper (ignore improper) Multiple Dependent claim is present,				add \$270/\$135	+	0	968/969

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(4)): →→ **BASIC FEE REQUIRED, NOW** →→→→A. If country code letters in item 1 are **not** "US", "BR", "BB", "TT", "MX", "IL", "NZ", "IN" or "ZA"

See item 16 re:

1. Search Report was <u>not prepared by EPO or JPO</u> -----	add \$1000/\$500	960/961
2. Search Report was prepared by EPO or JPO -----	add \$860/\$430 +860	970/971

SKIP B, C, D AND E UNLESS country code letters in item 1 are "US", "BR", "BB", "TT", "MX", "IL", "NZ", "IN" or "ZA"

→ ☐ B. If USPTO did not issue both International Search Report (ISR) and (if box 4(b) above is X'd) the International Examination Report (IPER), ----- add \$1000/\$500 +0 960/961

(only) → ☐ C. If USPTO issued ISR but not IPER (or box 4(a) above is X'd), ----- add \$710/\$355 +0 958/959

(one) → ☐ D. If USPTO issued IPER but IPER Sec. V boxes not all 3 YES, ----- add \$690/\$345 +0 956/957

(of) → ☐ E. If international preliminary examination fee was paid to USPTO and Rules 492(a)(4) and 496(b) satisfied (IPER Sec. V all 3 boxes YES for all claims), ----- add \$100/\$50 +0 962/963

(these) →

(4) →

(boxes) →

27. **SUBTOTAL = \$1556**

28. If Assignment box 19 above is X'd, add Assignment Recording fee of ----\$40 +0 (581)

29. Attached is a check to cover the ----- **TOTAL FEES \$1556**

Our Deposit Account No. 03-3975

Our Order No. 068800 | 0282776

C#

M#



00909

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 and 492 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filedPillsbury Winthrop LLP
Intellectual Property Group

By Atty: Robin L. Teskin

Reg. No. 35,030

Sig:

Fax: (703) 905-2500
Tel: (703) 905-2200

Atty/Sec: RLT/kmh

NOTE: File in duplicate with 2 postcard receipts (PAT-103) & attachments.

11. ☒ Attached: Sequence Listing and Statement in Support Thereof
12. ☐ Preliminary Amendment:
13. ☒ Basic U.S. National fee per Rule 492(a)(1)-(4) was previously timely filed.:
14. **Calculation of remaining fees due (if any):** based on amended claim(s) per above item
☐ 12 (above) or item(s) in PAT-112 (filed previously) ☐ 12 ☐ 14 ☐ 17 ☐ 25
15. **CLAIMS FEES** ☒ previously paid ☐ paid herewith as follows:
- 15A. Small Entity Statement ☐ Herewith ☐ Previously Filed

			Large/Small Entity		Fee Code
16. Total Effective Claims		minus 20 =	x \$18/\$9	+0	966/967
17. Independent Claims		minus 3 =	x \$84/\$42	+0	964/965
18. If any proper multiple dependent claim (ignore improper) is present,			\$280/\$140	+0	968/969
19. Filing Declaration late, fee paid <input type="checkbox"/> previously <input checked="" type="checkbox"/> now			\$130/\$65	+130	154/254
20.			SUBTOTAL	\$130	
21. Original due date:	December 2, 2001				
22. Petition is hereby made to extend the <u>original</u> due date to	(1 mo)	\$110/\$55 =	+1440	115/215	
cover the date this response is filed for which the requisite fee	(2mos)	\$400/\$200 =		116/216	
is attached	(3mos)	\$920/\$460 =		117/217	
	(4mos)	\$1,440/\$720 =		118/218	
23. If "non-English" box 3 is X'd, add Rule 17(k) processing fee		\$130	+0	156	
24. If "assignment" box 6 is X'd, add recording fee.		\$40	+0	581	
25.	TOTAL FEE ENCLOSED =				\$1570

(Our Deposit Account No. 03-3975)

(Our Order No. 068800 0282776
C# M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP
Intellectual Property Group**

1600 Tysons Boulevard
McLean, VA 22102
Tel: (703) 905-2000

By Atty: Robin L. Teskin

Reg. No. 35,030

Sig: [Signature]

Fax: (703) 905-2500
Tel: (703) 905-2200

RLT/LAK

NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments

04/05/2002 LLANDGRA 00000053 09890567

01 FC:154 130.00 OP
02 FC:118 1440.00 OP

09/890567

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

08/07/2001 HNGUYEN 00000023 09890567

01 FC:970	860.00 OP
02 FC:966	216.00 OP
03 FC:964	480.00 OP

Adjustment date: 05/01/2002 UEDUVIJE
08/07/2001 HNGUYEN 00000023 09890567
03 FC:964 -480.00 OP

05/01/2002 UEDUVIJE 00000002 09890567

01 FC:964	320.00 OP
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Repln. Ref: 05/01/2002 UEDUVIJE 0014521000
DAN:033975 Name/Number:09890567
FC: 704 \$160.00 CR

PTO-1556

(5/87)